

1 PW



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/711,101	08/23/2004	George Blanck	1372.183.PRC

21901
 SMITH & HOPEN PA
 15950 BAY VISTA DRIVE
 SUITE 220
 CLEARWATER, FL 33760



CONFIRMATION NO. 5100
 FORMALITIES LETTER



OC000000013938236

Date Mailed: 09/29/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - The line spacing on the specification, claims, or abstract is not 1½ or double spaced (see 37 CFR 1.52(b)).

SUMMARY OF FEES DUE:

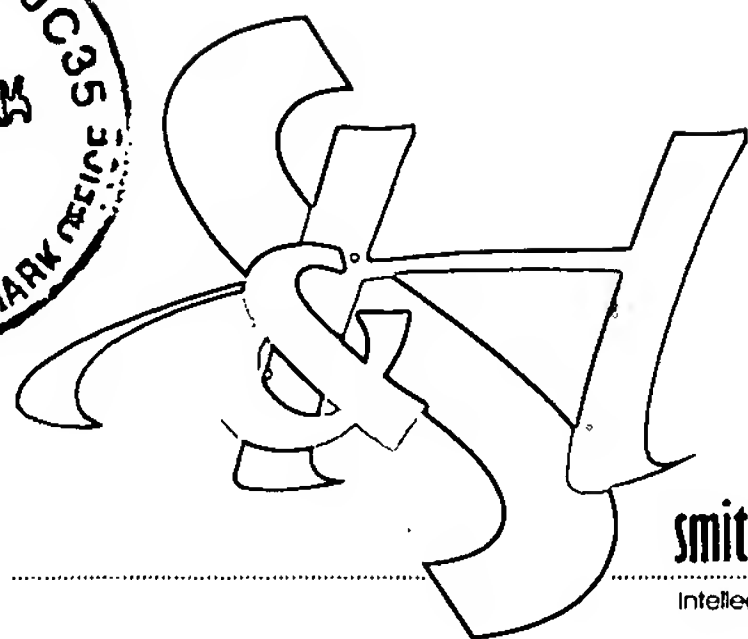
Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

B. Hapfelwold
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY



smith & hopen, p.a.

Intellectual Property Law Patents Trademarks Copyrights

November 29, 2004

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants: George Blanck et al.
Serial No.: 10/711,101
Filed: 08/23/2004
For: OCT-2 as an Oncoprotein
Our Reference No.: 1372.183.PRC

Art Unit : 1645
Examiner: Unassigned
Confirmation No.: 5100

Dear Sir:

Enclosed please find the following:

1. Notice to File Missing Parts of Non-Provisional Application filed under 37 C.F.R. 1.53(b) – (2 pages);
2. Response to Notice to File Missing Parts of Non-Provisional Application – (2 pages);
3. Self-addressed and postage pre-paid post card to serve as a receipt for items 1-2.

Very respectfully,

SMITH & HOPEN

By: Anton J. Hopen
anton.hopen@smithhopen.com

AJH/sb
Encl.

CERTIFICATE OF MAILING
(37 C.F.R. 1.10)

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee," Mailing Label No. EV505918221US, addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 29, 2004.

Date: November 29, 2004

Shelley Butz

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

File Application of: George Blanck)

Serial No.: 10/711,101)

Filed: 08/23/2004)

For: OCT-1 AS AN ONCOPROTEIN)

Art Unit: 1645

Examiner: Unassigned

Confirmation No.: 5100

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION**

(filed under 37 C.F.R. § 1.53(b))

In response to the Notice to File Missing Parts of Non-Provisional Application mailed **September 29, 2004**, having a shortened statutory period for response set to expire **November 29, 2004**, applicant responds as follows:

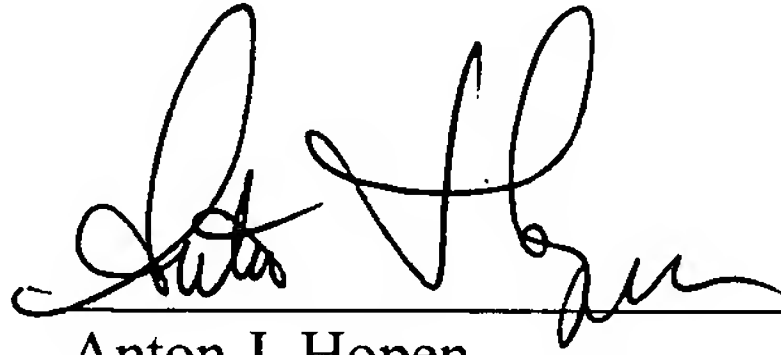
ITEMS REQUIRED TO AVOID ABANDONMENT

Applicant has submitted specification via electronic filing. The line spacing of the specification is dictated according to the software provided to the applicant by the Office. Applicant therefor cannot stipulate the distance between lines on the specification, claims, or abstract.

CONCLUSION

It is believed that the above response is completely responsive to the Notice to File Missing Parts of Non-Provisional Application mailed **September 29, 2004**.

Very respectfully,



Anton J. Hopen
Registration No. 41,849

Smith & Hopen, P.A.
15950 Bay Vista Drive
Suite 220
Clearwater, FL 33760
Our Ref.: 1372.183.PRC

CERTIFICATE OF MAILING
(37 C.F.R. 1.10)

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee," Mailing Label No. **EV505918221US**, addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 29, 2004.

Date: November 29, 2004



Shelley Butz